



State of Tennessee
Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
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Notice of NPDES Public Hearing

Public Notice M2008-08

April 17, 2008

Last Day to Submit Written Comments for Hearing: May 19, 2008

NOTICE IS HEREBY GIVEN, that the Division of Water Pollution Control, Mining Section, will hold the following public hearing pursuant to *Rule 1200-4-5-.06* of the Tennessee Department of Environment and Conservation. The date, time and location of the hearing follow:

Thursday, May 22, 2008
7:00 p.m. EDT
Indoor Pavilion
Cove Lake State Park
110 Cove Lake Lane
Caryville, Tennessee

The Department will receive public comments concerning permit reissuance of TN0072567 and permit issuance of TN0079791 to the following applicant:

Company Information

Mountainside Coal Company
Mr. Danny Chambers
7692 South Highway 25W

Williamsburg, KY 40769

Site Information

Copper Ridge Area 2
NPDES Permit TN0072567
Copper Ridge off Rock Creek
Ridge Road
Claiborne County
Clairfield, TN 37715

Site Information

Tackett Creek Surface Mine 2
NPDES Permit TN0079791
Tackett Creek Road
Claiborne County
Clairfield, TN 37715

The draft NPDES permits cover discharges of treated wastewater and storm water from an existing coal surface mine and a new coal surface mine. Discharges from the existing site are to Spar Branch and Straight Creek. Straight Creek is designated as Exceptional Tennessee Water. The new site will discharge to Tackett Creek that is designated as non-

exceptional water. The receiving streams are not included on the State's 303(d) list of impaired streams. The tentative decision to reissue this permit and issue this new permit is based on the Division's determination that the discharges will not result in degradation of these waters.

The hearing officer may limit oral presentations to five minutes and require that all testimony be relevant to water quality-related issues for these facilities. Undue repetition in oral presentations should be avoided so that all interested parties will have an opportunity to present their concerns relative to water quality issues. Written testimony will be accepted at the hearing and for at least ten days following the hearing.

Comments not related to water quality or to the information contained in the permit applications will not be accepted nor considered part of the hearing record. Issues not directly related to water quality or to the draft permits, such as health, safety, blasting, traffic or related issues will not be considered. We do not control these matters and consideration would not contribute relevant information to the decision making process for the NPDES permit applications.

Interested persons may obtain additional information and copy the applications, draft permits, and supporting documentation from the permit files maintained at the Mining Section's office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting Kimberley Reardon by email at Kimberley.Reardon@state.tn.us or by phone at (865) 594-5619 to schedule an appointment for the review. A copy of the permit applications and draft permits will be available for review at the hearing.

Individuals with disabilities who wish to participate in these proceedings should contact the Department's ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Such contact may be in person, by writing, telephone, or other means and should be made no later than **May 12, 2008**, to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**).